

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MATTHEW KATZ,

Plaintiff,

v.

DAVID KATZ,

Defendant.

CASE NO. C22-5040JLR

MINUTE ORDER

The following minute order is made by the direction of the court, the Honorable  
James L. Robart:

Before the court is pro se Plaintiff Matthew Katz's application to proceed with his  
appeal in forma pauperis ("IFP"). (IFP App. (Dkt. # 54).) The Federal Rules of  
Appellate Procedure provide that:

a party who was permitted to proceed in forma pauperis in the district-court  
action . . . may proceed on appeal in forma pauperis without further  
authorization, unless:

1 (A) the district court . . . certifies that the appeal is not taken in good faith  
2 or finds that the party is not otherwise entitled to proceed in forma  
3 pauperis and states in writing its reasons for the certification or  
4 finding; or

(B) a statute provides otherwise.

5 Fed. R. App. P. 24(a)(3).

6 Here, Mr. Katz was granted leave to proceed IFP in this matter (*see* 2/2/22 Order  
7 (Dkt. # 4)) and the court finds that (1) the appeal is taken in good faith, (2) Mr. Katz  
8 remains entitled to proceed IFP, and (3) no statute prohibits Mr. Katz from proceeding  
9 IFP on appeal. *See* Fed. R. App. P. 24(a)(3). As a result, Mr. Katz was not required to  
10 file a new IFP application in order to continue his IFP status on appeal. Because Mr.  
11 Katz remains entitled to proceed IFP on appeal, the court STRIKES Mr. Katz's IFP  
12 application (Dkt. # 54) as moot.

13 Filed and entered this 9th day of January, 2023.

14 RAVI SUBRAMANIAN  
15 Clerk of Court

16 s/ Ashleigh Drecktrah  
17 Deputy Clerk  
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